

SB 394 (S-1) - Comments of the Michigan Poverty Law Program

Chair Zorn and committee members, thank you for the opportunity to comment on SB 394. I'm Jim Schaafsma, the housing attorney at the Michigan Poverty Law Program.

SB 394 would amend the inspection section (MCL 125.526) of the "housing law of Michigan" statute. This statute establishes state minimum physical conditions standards for multifamily rental housing in municipalities with populations of 10,000 or more (the bill's streamlining of the statute's scope of coverage, in MCL 125.401, would be a good change). The statute assigns responsibility for enforcement of these standards to local governments, and mandates their enforcement. By permitting local governments to not inspect multifamily rental properties, SB 394 would mark a significant departure from a nearly century old state policy of multifamily rental housing minimum standards, and their enforcement.

For a state with a high proportion of aged rental housing stock, the enactment of SB 394 is a worrisome prospect. Remembering that multifamily rental property is generally subject to higher turnover, and heavier use and deterioration than owner occupied housing makes this proposed change only more problematic. The heightened risk of harm from and blight to uninspected properties, especially older rental housing, is significant. Also, as compared to their representation in the general population, low income households make up a higher proportion of multifamily rental housing residents, and that income group tends to be less consumer sophisticated, and so, less knowledgeable about their rights as tenants, including the right to request a (complaint-based) inspection of a rental unit.

This bill does not promote the health and safety of Michigan tenants (especially low income ones) or of this state's multifamily housing stock generally. We urge the legislature to preserve both minimum standards for multifamily rental housing and the enforcement of those standards.